

**CLAIM Amendments**

1. (Previously presented) A hybrid promoter comprising:
  - (a) an enhancer region of a strong and ubiquitous promoter/enhancer, and
  - (b) a promoter region that allows specific expression in smooth muscle cells,wherein said enhancer region and said promoter region are less than 1 kb apart.
  
2. (previously presented) The hybrid promoter according to claim 1, wherein the enhancer region is selected from the group consisting of: the enhancer region of the cytomegalovirus immediate- early (CMV-IE) gene, the enhancer region of the rous sarcoma virus L TR (RSV-L TR); the enhancer region of the SV40 virus; and the enhancer region of the EF1a gene.
  
3. (previously presented) The hybrid promoter according to claim 2, wherein the enhancer region of the cytomegalovirus immediate-early (CMV-IE) gene is the human cytomegalovirus (hCMV-IE).
  
4. (previously presented) The hybrid promoter according to claim 1, wherein the promoter region comprises the promoter of the gene encoding  $\alpha$ -actin of smooth muscle cells (SMact), or the promoter of the SM22 gene.
  
5. (previously presented) A hybrid promoter comprising:
  - (a) an enhancer region of the human cytomegalovirus immediate-early (hCMV-IE) gene, and
  - (b) a promoter of the gene encoding the  $\alpha$ -actin of smooth muscle cells (SMact),wherein said enhancer region and said promoter are less than 1 kb apart.

6. (previously presented) A hybrid promoter comprising:

- (a) an enhancer region of the human cytomegalovirus immediate-early (hCMV-IE) gene, and
- (b) a promoter of the SM22 gene,

wherein said enhancer region and said promoter are less than 1 kb apart.

7. (previously presented) The hybrid promoter according to claim 1, wherein the promoter region comprises a basal promoter and a sequence conferring tissue specificity that is derived from the SMact promoter, the SM22 promoter, or from a combination of the SMact promoter and the SM22 promoter.

8. (previously presented) An expression cassette comprising a nucleic acid that is complementary to an RNA or encodes a polypeptide of interest, that is placed under the control of a hybrid promoter of Claim 1.

9. (previously presented) The expression cassette according to claim 8, further comprising a signal for termination of transcription.

10. (previously presented) The expression cassette according to claim 8, wherein the nucleic acid encodes a protein selected from the group consisting of a protein involved in the cell cycle, a protein that induces apoptosis, a protein capable of modifying the proliferation of smooth muscle cells, a protein that induces angiogenesis, and a transcription factor.

11. (previously presented) A vector that comprises:

- (a) a hybrid promoter comprising.

(i) an enhancer region of a strong and ubiquitous promoter/enhancer, and  
(ii) a promoter region that allows specific expression in smooth muscle cells,  
wherein said enhancer region and said promoter region are less than 1 kb apart; or

(b) a cassette according to claim 8

12. (previously presented) The vector according to claim 11, wherein said vector is a plasmid, a cosmid or any DNA not encapsidated by a virus.

13. (previously presented) The vector according to claim 11, wherein said vector is a recombinant virus.

14. (previously presented) A composition comprising the vector according to claim 12 and a chemical or biochemical transfer agent.

15. (previously presented) A composition comprising the vector according to claim 13 and a physiologically acceptable vehicle.

16. (previously presented) A cell modified by:

- (a) a cassette according to claim 8; or  
(b) a vector that comprises a hybrid promoter comprising an enhancer region of a strong and ubiquitous promoter/enhancer, and a promoter region that allows specific expression in smooth muscle cells, wherein said enhancer region and said promoter region are less than 1 kb apart.

17. (canceled).

18. (canceled).

19. (previously presented) The expression cassette according to claim 9, wherein the nucleic acid encodes a protein selected from the group consisting of a protein involved in the cell cycle, a protein that induces apoptosis, a protein capable of modifying the proliferation of smooth muscle cells, a protein that induces angiogenesis, and a transcription factor.

20. (previously presented) The vector according to claim 13, wherein said recombinant virus is derived from an adenovirus, a retrovirus, a herpesvirus, or an adeno-associated virus.

21. (new) The hybrid promoter according to claim 2, wherein said enhancer region and said promoter are less than 500 bp apart.

22. (new) The hybrid promoter according to claim 21, wherein said enhancer region and said promoter are less than 400 bp apart.

23. (new) The hybrid promoter according to claim 22, wherein said enhancer region and said promoter are less than 200 bp apart.